

Appl. No. 10/606,319
Amendment Dated 4/28/2006

Attorney Docket No.: DN 97-014 D1

REMARKS

Claims 1, 3, 6, 7, 9, 12-15 and 30 are pending in this application. Claims 1, 3, 6, 7, 9, 12-15 and 30 are rejected.

In the accompanying Listing of Claims, claims 1, 3, 6, 7, 9, 13 and 30 have been amended and claims 12, 14 and 15 have been canceled without prejudice. After entry of the amendment, claims 1, 3, 6, 7, 9, 13 and 30 remain pending.

Claim Rejections Under 35 U.S.C. § 102

Examiner has rejected claims 1, 3, 6, 7, 9, 12-15 and 30 under 35 U.S.C. § 102(b) as anticipated by United States Patent No. 4,868,226 to Mitsuno et al. ("Mitsuno").

Specifically, Examiner states that Mitsuno discloses surface treated fillers for incorporating into polypropylene. Examiner specifically points out that talc is the preferred filler and silanes such as claimed instantly are taught at column 4, lines 35-50.

In response, Applicant amended claim 1 to now recite:

a method of producing a polyolefin film comprising the steps of:
surface treating an inorganic mineral selected from the group consisting of talc, calcium carbonate, precipitated calcium carbonate, clay, and silica, with from about 0.1 percent to about 10 percent by weight of a silane to produce an antiblock agent;
adding from about 0.1 percent to about 1.0 percent by weight of the antiblock agent to a mixture comprising a polyolefin resin; and
extruding the mixture to form a polyolefin film.

Applicant also amended claim 30 to recite:

a composition comprising a polyolefin resin and from about 0.1 percent to about 1.0 percent by weight of an antiblock agent comprising an inorganic mineral selected from the group consisting of talc, calcium carbonate, precipitated calcium carbonate, clay, and silica surface treated with from about 0.1 percent to about 10 percent, based on the weight of the inorganic mineral, of a silane.

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Therefore, amended claim 1 recites a process for making a polyolefin film containing from about 0.1 percent to about 1.0 percent by weight of an antiblock agent. And, claim 30 recites a composition containing a polyolefin resin and from about 0.1 percent to about 1.0 percent by weight of an antiblock agent.

In contrast, Mitsuno discloses a process for producing a filler-containing polypropylene resin composition comprising from 5 to 40 percent by weight of a filler whose surface has been treated with an organosilane compound (column 2, line 63 and column 5, lines 21-32). Thus, Mitsuno does not teach or suggest the use of less than 5 percent by weight of a filler in a resin composition (column 5, lines 14-16) and therefore does not disclose or suggest at least one limitation of amended claim 1 and amended claim 30. Furthermore, Mitsuno would not have motivated one of ordinary skill in the art to use less than 5 percent by weight of a filler in a resin composition because of the resulting lack of improved rigidity which is an essential requirement of the teachings of Mitsuno (column 5, lines 23-26).

Accordingly, for at least the reasons provided above, Mitsuno cannot anticipate either amended claim 1 or amended claim 30. Withdrawal of the rejection and allowance of amended claim 1 and amended claim 30 are requested.

Amended claims 3, 6, 7, 9 and 13 depend on amended independent claim 1, which is allowable over Mitsuno, and thus are also allowable over Mitsuno. Withdrawal of the rejection and allowance of claims 3, 6, 7, 9 and 13 are kindly requested.

CONCLUSION

The amendments presented herein are fully supported by the disclosure as originally filed and no new matter has been added. Based upon the amendment submitted herewith and the above remarks, Applicant believes that the present application is now in condition for allowance. Reconsideration of the present application and allowance are requested.

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Should Examiner not agree with Applicants' position, a telephone interview is respectfully requested to discuss any remaining issues and to expedite the eventual allowance of the application.

Respectfully submitted,

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